

Translation

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

520627
PCT/DE2003/002153



Applicant's or agent's file reference PTR427WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/002153	International filing date (day/month/year) 25 June 2003 (25.06.2003)	Priority date (day/month/year) 10 July 2002 (10.07.2002)
International Patent Classification (IPC) or national classification and IPC B60R 21/00		
Applicant TAKATA-PETRI AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 06 February 2004 (06.02.2004)	Date of completion of this report 26 October 2004 (26.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/002153

I. Basis of the report

1. With regard to the elements of the international application:*

☐ the international application as originally filed☒ the description:

pages 1-22, as originally filed

pages, filed with the demand

pages, filed with the letter of

☒ the claims:

pages 2-41, as originally filed

pages, as amended (together with any statement under Article 19

pages, filed with the demand

pages 1, filed with the letter of 01 September 2004 (01.09.2004)

☒ the drawings:

pages 1/11-11/11, as originally filed

pages, filed with the demand

pages, filed with the letter of

☐ the sequence listing part of the description:

pages, as originally filed

pages, filed with the demand

pages, filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☐ The amendments have resulted in the cancellation of:☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/fig5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-41	YES
	Claims		NO
Inventive step (IS)	Claims	1-41	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-41	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

D1: PATENT ABSTRACTS OF JAPAN Vol. 008, No. 061 (M-284),
23 March 1984 (1984-03-23) & JP 58 211975 A (NISSAN
JIDOSHA KK), 9 December 1983 (1983-12-09)

D1 is considered the prior art closest to the subject matter of claim 1. D1 discloses (cf. the abstract and figures) an arrangement which, in the event of a crash, in order to reduce the energy produced on impact with a person located outside the vehicle, deflects part of the motor vehicle outer skin formed by a bonnet 1 as a result of a movement of the bonnet 1 counter to the deflection direction, said arrangement having a system 3 for deflecting the bonnet 1, which system acts at a point 6 of the bonnet 1 and which, when a person impinges on the bonnet 1, allows the latter to move counter to the deflection direction, the point of impact of the deflection system 3 being provided in the region of an end 11, of the bonnet 1, associated with the passenger cell.

Therefore the subject matter of claim 1 differs from the known arrangement in that the deflection system comprises an element which, on impact between a person and the deflected part during which the impact forces act counter to the deflection direction, can counteract a movement of the part of the outer skin counter to the deflection direction, in order to prevent said movement, and in that the deflection system is controlled as a function of the time, place and/or direction of the impact such that, depending on the time and/or place and/or direction of the impact on the deflected part of the outer skin, the deflection system permits a movement of the part of the outer skin counter to the deflection direction or counteracts such a movement, in order to prevent it.

Consequently the subject matter of claim 1 is novel (PCT Article 33(2)).

The problem to be solved by the present invention can thus be considered that of preventing the bonnet from being depressed owing to the impingement of the upper body.

For the following reasons, the solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)):

The deflection arrangement can decide spatially or chronologically between impact with the upper body and impact with the head and, in the event of impingement of the upper body on the deflected part, counteracts a movement of the bonnet counter to the deflection direction by means of the element, although the impact forces act counter to the deflection direction.

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Claims 2 to 41 are dependent on claim 1 and hence likewise meet the PCT novelty and inventive step requirements.